

**THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2017-292-WS**

<b>IN RE:</b> Application of Carolina Water Service, Inc for Approval of an Increase in Its Rates for Water and Sewer Services.	) ) )	<b>MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL</b>
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Consistent with the confidentiality procedures set forth in S.C. Code Ann. § 58-4-55(A) and (D) (2018)<sup>1</sup>, Commission Order No. 2005-226, and pursuant to Rule 41.1(b), South Carolina Rules of Civil Procedure, the South Carolina Office of Regulatory Staff (“ORS”) respectfully moves the Public Service Commission of South Carolina (“Commission”) for leave to file under seal exhibits included with the testimony of ORS witness Dawn M. Hipp submitted in the rehearing of this case. The exhibits in question were provided by Carolina Water Service, Inc. (“CWS”) in response to discovery and are invoices for legal services marked as “Confidential.” Accordingly, ORS files this motion which requests to file the materials designated as “Confidential” under seal.

This motion – and the documents that are the subject of it – is designed to meet the factors for sealing documents set out in Rule 41.1(b), SCRCP. Specifically:

1. Public notice of the request to seal and opportunity to object is afforded by virtue of this publicly filed motion and the description of the subject document above.
2. Numerous pages in the exhibit are allegedly confidential and therefore redaction is not practical and filing the document under seal is appropriate.

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<sup>1</sup> S.C. Code Ann. § 58-4-55 was rewritten by 2018 S.C. Acts 258, effective June 28, 2018.

3. By designating this document “confidential” pursuant to S.C. Code § 58-4-55(A) and (D), CWS indicates its belief that the documents contain sensitive and confidential information protected from public disclosure.

While S.C. Code § 58-4-55(A) and (D) and Commission Order No. 2005-226 provide CWS with a mechanism by which to exempt documents it considers confidential and proprietary from public disclosure, including disclosure to any member of the Commission, “if the [C]ommission determines that it is necessary to view such documents or information, it shall order [ORS] to file the documents or information with the [C]ommission under seal.” *See* S.C. Code § 58-4-55(A) and (D). The documents are exhibits accompanying the testimony of ORS witness Dawn M. Hipp and are necessary to demonstrate adjustments made by ORS in the context of this case. ORS believes, and has been informed CWS agrees, it will be necessary for the Commission to review the documents at the hearing on this case.<sup>2</sup>

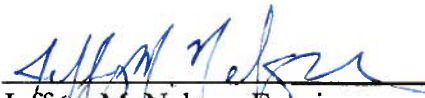
The records at issue are legal invoices. The invoices are from law firms and attorneys working on the various legal actions in which CWS is involved, and the invoices reflect details of services rendered including date of work, lawyer working on the matter, description of work, hours of work, hourly rates, expenses charged, payments, etc. ORS has asked CWS to review the documents to determine whether the documents remain confidential.

For these reasons, ORS respectfully requests that the Commission grant this motion and permit ORS to file the legal invoices and spreadsheets under seal. The documents that are the subject of this motion will be provided under separate cover to the Commission.

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<sup>2</sup> At this time, ORS is not seeking a determination from the Commission that the documents are not or should not be treated as confidential and withheld from public disclosure. ORS has asked CWS whether the documents remain confidential, and CWS is reviewing ORS’ request. However, ORS may at a later time request that the Commission determine whether the documents should be afforded confidential treatment and entitled to protection from public disclosure.

Respectfully submitted,

  
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